

Attorney Docket No. 04151/LH

PATENT MAINTENANCE
DIVISION

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

2006 APR 11 PM 4:23

Applicant(s): Takeshi KAMIMAE et al

US PATENT & TRADEMARK
OFFICE

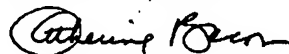
Serial No. : 10/805,619

Filed : March 18, 2004

For : AIR CONDITIONING APPARATUS
FOR HYDRAULIC SHOVEL

CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313 on the date noted below.



Catherine Bacon

Dated: April 5, 2006

ATTENTION: MAIL STOP 16 - REFUNDS
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REQUEST FOR REFUND

Director of the U.S. Patent
and Trademark Office

S I R :

Attached hereto is a highlighted copy of our January 2006 Monthly Statement of Deposit Account 06-1378. The \$200 fee, charged on January 24, 2006 (Control No. 1, Fee Code 1201) for an independent claim, is respectfully submitted to be in error for the following reason.

The above-identified application has been allowed with four independent claims, namely, claims 1, 10, 17, and 28. Payment for the additional independent claim was authorized with the AMENDMENT transmitted via facsimile on August 12, 2005. In evidence thereof, enclosed are copies of the first page and page 13 of said AMENDMENT, and Form PTO-2038 with the credit card

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statement on which payment, in the amount of \$800, can be seen. As stated on page 13, payment covered the additional independent claim plus 12 extra claims ($\$200 + 600 = \800). No further charge for the fourth independent claim was necessary.

Therefore, it is respectfully requested that the Patent Office promptly credit the \$200 fee, charged in error on January 24, 2006, to the undersigned's Deposit Account 06-1378.

Respectfully submitted,



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Reg. No. 33,902

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

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United States Patent and Trademark Office
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**MONTHLY STATEMENT
OF DEPOSIT ACCOUNT**

To replenish your deposit account, detach and return top portion with
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FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C. FINA
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NEW YORK NY 10001-7708

Account No.
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1	5	06	428	10562742	05832/HG	8021	40.00	25806.96
1	6	06	382	60653504	06002/LH	8007	20.00	25786.96
1	9	06	1	10547252	05551/HG	1617	130.00	25656.96
1	9	06	63	60653503	06001/LH	8007	20.00	25636.96
1	11	06	1	10600266	03337/C/HG	1202	50.00	25586.96
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1	17	06	86	11243656	05606CIP/HG	8021	40.00	25506.96
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1	24	06	1	10805619	04151/LH	1201	200.00	25156.96
1	25	06	5	76635952	05244/RPM	6001	375.00	24781.96
1	26	06	273	60724625	05510/R38	8021	40.00	24741.96
1	31	06	1	10754760	04011/LH	1201	200.00	24541.96
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25846.96	1305.00	130.00	24671.96

Application No. 10/805,619
Response to Office Action

Customer No. 01933

Attorney Docket No. 04151/JH

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant(s): Takeshi KAMIWAE et al

Serial No. : 10/805,619

Filed : March 18, 2004

For : AIR CONDITIONING APPARATUS
FOR HYDRAULIC SHOVEL

Art Unit : 3744

Examiner : William E. Tapolcai

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

This is responsive to the Office Action mailed May 23, 2005,
the term for response to which expires on August 23, 2005.

Amendments to the Claims are set forth in the listing of

claims which begins on page 2 of this paper. Claims 1-8,

and 10-16 are amended; claim 9 is canceled; and claims 17-33 are

added.

Remarks begin on page 11 of this paper.

CERTIFICATE OF FACSIMILE
TRANSMISSION
TO NO. 1-571-273-8300

TOTAL PAGES: 17

Amendment (16)

I hereby certify that this
paper is being facsimile
transmitted to the Commissioner
for Patents on the date noted
below.

N. Jander

Nailini P. Sahadeo

Dated: August 12, 2005

In the event that this paper is
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is not filed concurrently
herewith, please consider this
as a Petition for the requisite
extension of time, and to the
extent not tendered by form
PTO-2039 attached hereto,
authorization to charge the
attorney's fee to Account
No. 06-1378.

Application No. 10/805,619
Response to Office Action

Customer No. 01933

example, Figs. 10 and 11 and the disclosure in the specification
at page 16, lines 3-16 with respect to new claim 27.

No new matter has been added, and it is respectfully
requested that the amendments to claims 1-8 and 10-16 and the
addition of new claims 17-27 be approved and entered.

CLAIM FEE

The application was originally filed with 16 claims of
which 2 were independent, and the appropriate claim fee was paid
for such claims. The application now contains 32 claims, of
which 4 are independent. Accordingly, a claim fee in the amount
of \$800 for the addition of 1 extra independent claim and 12
extra claims in total is attached hereto. In addition,
authorization is hereby given to charge any additional fees which
may be determined to be required to Account No. 06-1378.

RE: THE PRIOR ART REJECTION

Claims 1-3, 5-7, 9-11 and 13-15 were rejected under 35
USC 102 as being anticipated by USP 6,126,539 ("Miller et al"),
and claims 4 and 12 were rejected under 35 USC 103 as being
obvious in view of the combination of Miller et al and
USP 5,826,440 ("Okada et al"). These rejections, however, are
respectfully traversed with respect to the claims set forth
hereinafter.

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